Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:

Amendment of Parts 21, 22, 23, and 25 of the Commission's Rules to Require Reporting of Station Frequency and Technical Parameters for Registration by the Commission with the International Frequency Registration Board

CC Docket No. 92-160

REPLY COMMENTS OF
NATIONAL PUBLIC RADIO, INC.

National Public Radio, Inc. ("NPR") hereby submits these reply comments regarding the Notice of Proposed Rulemaking ("NPRM") regarding reporting of earth station frequency and technical parameters. NPR believes that the comments filed in this proceeding raise real concerns about the administrative burdens on earth station operators that would be imposed by the adoption of these proposed requirements.

NPR is a nonprofit, noncommercial organization which provides programming and interconnection services to approximately 453 full-service public radio stations and represents them in developing and maintaining a viable and diverse public radio service for the American public. NPR manages the Public Radio Satellite Interconnection System ("PRSIS"), which is the primary vehicle for satellite distribution of public radio programming in the United States. In that capacity, NPR leases two C-band transponders on Galaxy

VI, a satellite owned by Hughes Communication Galaxy, Inc. Two C-band transponders on the Galaxy IV(H) satellite have been purchased to replace the leased capacity on Galaxy VI at the 99 degree W.L. orbital location in early 1993. NPR manages the PRSIS for the benefit of participating public radio stations under a contract with the Corporation for Public Broadcasting.

The PRSIS currently consists of 339 receive earth terminals located at public radio stations serving all fifty states as well as twenty-two transmit-capable earth terminals which permit immediate access to the PRSIS from widely diverse geographic locations. The vast majority of the receive-only earth terminals and all of the transmit-capable earth terminals in the PRSIS have been frequency-coordinated, and licensed or registered, as appropriate, by the Commission.

NPR applauds the Commission's stated goal of maintaining an up-to-date, accurate and automated database of licensees to accomplish effective domestic and international frequency coordination. It is clear that international treaty obligations which reduce the possibility of interference between U.S. and foreign spectrum users require an accurate frequency registry of users in various services. It is less clear, though, how the proposed additional reporting requirements for earth stations whose coordination contours fall totally within U.S. territory further this goal. As the Commission notes in the NPRM, "the level of detail required ... for international coordination under ITU RR1107 is an order of magnitude more complex than that required for domestic licensing...." It is NPR's opinion that

when frequency coordination procedures reveal the presence of international implications, it is reasonable for the Commission to require affected earth station operators to submit the additional data required by the International Frequency Registration Board (IFRB). If international frequency coordination issues are not involved in the application, the additional information required for international coordination purposes should not be mandatory. The Commission should specify clear guidelines for when IFRB data will be required and when submission is merely voluntary.

It is unclear from the NPRM what timetable is contemplated for implementation of the proposed reporting requirements. We agree with the comments filed by GE American Communications stating that unless the Commission carefully stages the imposition of the proposed reporting requirements, the administrative burden on applicants, licensees, permittees, and the Commission itself may be excessive.

The Pepper & Corazzini comments note that the information requirements for the diskette submission should be consistent with present requirements on the FCC Form 493. For the applicants for licensing and registration of new facilities and modifications of existing facilities in which the frequency coordination data is changed, the information gathering required by the NPRM will be no more burdensome than at present. For older, existing earth terminals, however, obtaining the original coordination data for a renewal application may be quite problematic. For example, many NPR stations were constructed in

the 1979-80 period, and the frequency coordination data for those terminals was obtained from a frequency coordination firm that has since gone out of business. Requiring earth terminal operators to refile full frequency coordination data may require the operator to contract with a frequency coordinator or consulting engineer to reconstruct data that is already on file with the Commission. The expense of this effort could be burdensome, especially for public radio stations which operate on limited budgets.

The requirement to file coordination data electronically has the potential for creating hardship for some terminal owners. While new coordination data could possibly be made available in the proposed electronic format directly by a frequency coordinator, what appears on the surface to be a straightforward process may well be beyond the capability of many earth terminal users. To alleviate computer "programming" burdens for earth terminal operators, it would be desirable for the Commission to make a "fill-in-the-blanks" type of software package available to earth terminal operators, directly from the Commission and elsewhere through such diverse resources as Compuserve, Prodigy, and so forth, as suggested in the GE American Communications comments. A standard software package that prompts for data elements would reduce formatting and data entry errors, which would assist both the Commission in entering the data in its database, and the users in properly submitting complete data.

Finally, the antenna pattern information requested in the two files, CALLSIGN.TRP and CALLSIGN.RRP, should not be required of

earth station operators. The detail required for 3600 reference points is clearly beyond the needs of the registration or licensing process. Standard data for antennas should be on file with the Commission, and the antenna manufacturer and model number data in the CALLSIGN.DAT file at the heading "Domestic antenna facilities data" should provide the necessary cross-reference to the required data. Elimination of this information requirement would also reduce the possibility for data entry errors that would inevitably occur if earth terminal operators were required to make the numerous entries required by this aspect of the proposal.

CONCLUSION

NPR urges the Commission to heed the suggestions of commenters, such as Pepper & Corazzini, AMSC Subsidiary Corporation and GE American Communications, regarding the need for flexible and reasonable requirements for diskette submission of technical data for domestic earth stations. The Commission should carefully balance the need for international frequency coordination data with the real administrative and economic burdens which could be imposed by the adoption of these proposed rules.

If the Commission determines that diskette submission of some or all of this technical data is essential, we urge that it create a transition period during which the new requirements would be phased in. The Commission should focus its attention on

those new applicants in border areas where there is a real possibility of interference with foreign spectrum use. Domestic earth stations, particularly the receive-only stations, should be afforded a substantial period of time within which to comply.

Respectfully submitted,

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